

To:	Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	SOLICITOR JUL - 5 2006 REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court WESTERN DISTRICT OF WASHINGTON on the following: X Patents or Trademarks:

DOCKET NO.	DATE FILED	US District Court WESTERN DISTRICT OF WASHINGTON
2:06-cv-00932-RSM	6/30/06	
PLAINTIFF		DEFENDANT
Saturn Biomedical Systems Incorporated		King Systems Corporation
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1. See attached page for patent numbers 6,543,447	6.	11.
2. 6,655,377	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following patents(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<u>Amendment</u>	<u>Answer</u> <u>Cross Bill</u> <u>Other Pleading</u>
PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.	PATENT OR TRADEMARK NO.
1.	6.	11.
2.	7.	12.
3.	8.	13.
4.	9.	14.
5.	10.	15.

In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK	(BY) DEPUTY CLERK	DATE
Bruce Rifkin	DJ	7/3/06

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06-CV-00932-CMP

FILED ENTERED
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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SATURN BIOMEDICAL SYSTEMS,
INCORPORATED

Plaintiff,

v.

KING SYSTEMS CORPORATION
Defendant

Civil Action No.

COMPLAINT FOR PATENT
INFRINGEMENT

JURY TRIAL REQUESTED

CV6 932 RSM

Plaintiff Saturn Biomedical Systems Incorporated ("Saturn Biomedical") hereby alleges
as follows against Defendant King Systems Corporation ("King Systems").

I. PARTIES

1. Saturn Biomedical is a corporation organized and existing under the laws of Canada,
having its principal place of business at: 7033 Antrim Avenue, Burnaby, British Columbia, V5J
4M5, Canada.

2. Upon information and belief, King Systems is a corporation organized and existing
under the laws of Indiana, having its principal place of business at 15011 Herriman Boulevard,
Noblesville, IN 46060.

COMPLAINT - 1
Civil Action No.
DOXUC-6-1007P01C-CMP (final)

ORIGINAL

BLACK LOWE & GRAHAM ^{PLLC}

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Seattle, Washington 98104
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II. JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, particularly 35 U.S.C. § 271(a) and § 281. Jurisdiction is conferred upon this Court pursuant to 28 U.S.C. §§ 1331, 1332, and 1338(a).

4. Upon information and belief, King Systems imported into, sold in, and/or offered for sale in the United States, including the Western District of Washington, at least one type of infringing laryngoscope under the brand name of AirTraq® that infringes one or more patents owned by Saturn Biomedical. The infringing AirTraq® laryngoscope is offered for sale and made available to residents of this judicial district. King Systems has engaged in activities and events in the Western District of Washington that give rise to Saturn Biomedical's claims. King Systems distributes, sells, and/or offers for sale its infringing AirTraq® laryngoscope through at least one sales agent operating in Washington and/or through its website at <http://www.kingsystems.com>. Upon information and belief, King Systems has sold and/or offered for sale the infringing AirTraq® laryngoscope to medical professionals, hospitals, and/or other entities located in the Western District of Washington. King Systems has established systematic contacts in the Western District of Washington by virtue of the aforementioned business presence in this judicial district. Accordingly, both jurisdiction and venue are proper pursuant to 28 U.S.C. §§ 1391 and 1400.

III. SATURN BIOMEDICAL'S PATENT RIGHTS

5. Saturn Biomedical is the owner of U.S. Patent No. 6,543,447 ("the '447 patent") and U.S. Patent No. 6,655,377 ("the '377 patent"), each of which is entitled "Intubation Instrument." Saturn Biomedical owns the full right, title, and interest in these patents, including the right to assert the claims and causes of action involved in this complaint.

IV. PATENT INFRINGEMENT

6. Saturn Biomedical realleges the allegations of each of the preceding paragraphs.

7. The AirTraq® laryngoscope imported, offered for sale and sold in the United States

COMPLAINT - 2

Civil Action No.

13XUC-6-10077011CMP (final)

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1 by King Systems infringes one or more claims of the '447 patent and the '377 patent. Discovery
2 may reveal additional laryngoscope models that infringe the '447 patent and the '377 patent.

3 8. King Systems' importation, sale, and/or offer for sale of the infringing AirTraQ®
4 laryngoscope has not been under license or authority from Saturn Biomedical.

5 9. King Systems advertises its infringing AirTraQ® laryngoscope on its
6 <http://www.kingsystems.com> website. Additionally, King Systems, on its website, identifies the
7 state of Washington as a targeted sales area and identifies Dan Christy as its sales representative
8 serving the state of Washington.

9 10. King Systems' activities constitute direct infringement pursuant to 35 U.S.C. § 271.

10 11. As a direct result of King Systems' infringement of the '447 patent and the '377
11 patent, Saturn Biomedical has suffered or will suffer damages in an amount to be established at
12 trial. In addition, Saturn Biomedical has suffered or will suffer irreparable harm for which there
13 is no adequate remedy at law.

14 **VI. PRAYER FOR RELIEF**

15 WHEREFORE, Saturn Biomedical requests the following alternative and cumulative
16 relief:

- 17 1. Preliminary and permanent injunctions against the importation, use, sale, and
18 offer for sale of laryngoscopes or any other devices that infringe the '447 patent
19 and the '377 patent pursuant to 35 U.S.C. § 283;
- 20 2. An award of damages adequate to compensate for the infringement, but in no
21 event less than a reasonable royalty for the use of the inventions the subject of the
22 '447 patent and the '377 patent;
- 23 3. An award of treble damages pursuant to 35 U.S.C. § 284;
- 24 4. An award of reasonable attorneys' fees pursuant to 35 U.S.C. § 285;
- 25 5. An assessment of prejudgment interest and costs; and
26


6. Such other and further relief as the Court may deem just and proper.

VII. JURY DEMAND

Saturn Biomedical demands a jury trial on all issues triable by jury.

RESPECTFULLY SUBMITTED this 30th day of June, 2006.

BLACK LOWE & GRAHAM ^{PLLC}



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COMPLAINT - 4

Civil Action No.

DXUC-6-1007P01CMP (final)

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